

"That all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole; and they have at all times the unalienable right to alter, reform or abolish their form of government in such manner (not 'as they may deem expedient,' but) as may be provided by this Constitution."

That leaves the full and plenary right of the people unimpaired in that respect, and simply points out a peaceful mode, regulated by law, by which they shall act and when they shall act. Is not that a safer course than to leave the matter as it now stands in this first article, which would seem to authorize any demagogue to start up with a proposition to reform the Constitution? As I said before, such a course would be attended with great danger to the peace of the community. The only effect of the amendment which I have the honor to submit is simply to point out a peaceful, quiet mode, regulated by law, by which this alteration shall be made.

Now, it may be said, if this amendment should be adopted, it would conflict with the 44th article of the report as made to this Convention. That article reads thus:

"That this Constitution shall not be altered, changed or abolished, except in the manner therein prescribed and directed."

When that 44th article is taken up it will be time enough to modify it; and I think it will be right so to modify that article as to make it conform to the provision I propose to insert. It is not that the Constitution shall not be altered, or changed, or modified, except in a certain way, because that would negative the idea that the people have the right to change or alter their form of government. They have that right undoubtedly; but it is the right of revolution; and no man denies that right. It is the right of revolution, and is nothing short of revolution, whenever a reform of the Government is attempted in any other way than in the mode pointed out by law, and regulated by law. And my purpose is solely to bring to the consideration of the Convention the simple question of the expediency of pointing out in this Constitution the mode by which it shall be altered, and not leave it to the wild vagary of any demagogue who may choose to assert that the time has come for altering it. And the words "as they may deem expedient," now found in the article as it stands, would, it seems to me, justify any assembling of the people anywhere for the purpose of changing the Constitution. It is for that purpose alone that I have offered this amendment, and I hope it will be adopted.

Mr. BERRY, of Prince George's. Will it now be in order to offer an amendment to the pending amendment?

The PRESIDENT. It is not now in order, there being already an amendment to an amendment pending.

Mr. BERRY, of Prince George's. Would it be in order to move to strike out a portion of the original article?

The PRESIDENT. Not until the pending amendments are disposed of.

Mr. BERRY, of Prince George's. The object which I proposed to accomplish was to have all the first article stricken out after the word "whole," in the third line of the report. If that were done, it would then leave this first article to conform to the first article of the Declaration of Rights in the old Constitution of our State, and would then read thus:

"That all government of right originates from the people, is founded in compact only, and is instituted solely for the good of the whole."

That would conform precisely to the provisions in the old Constitution which was established in 1776. It is an enunciation of a principle well established, and it would then contain sufficient for all purposes in support of that principle. Now I do not agree with my friends that this is the place to authorize amendments to be made to the Constitution, or to point out any mode in which the Constitution which we may frame here may hereafter be amended. I think the 44th article of the Declaration of Rights, as reported by the committee, accomplishes all that is desirable. That article provides—

"That this Constitution shall not be altered, changed or abolished, except in the manner therein prescribed and directed."

That would be sufficient in the Declaration of Rights; and in some other portion of the Constitution that declaration could be carried out by setting forth the peculiar mode and manner in which the people might change their organic law hereafter, should they feel so disposed.

Now I do not agree with some of the gentlemen who have addressed this Convention, in their conclusion that the Convention held in 1850 was in itself revolutionary. I will state to those gentlemen that they will find in no part of the Constitution of 1776 any article or section prohibiting the people from calling together, at their will, a Convention for the purpose of reframing or reconstructing their organic law. By reference to that Constitution, it will be found that it simply pointed out the mode in which the Constitution could be changed by the General Assembly of the State of Maryland; but not one word prohibiting the action of the people in that respect. I now refer to the 59th article of the old Constitution, which reads:

"That this form of government, and the Declaration of Rights, and no part thereof, shall be altered, changed or abolished, unless a bill so to alter, change or abolish the same, shall pass the General Assembly and be published at least three months before a new election, and shall be confirmed by the